

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JASON B. BENSON  
v.  
DURAN, et al

CIVIL ACTION NO. 1:00-CV-00-1229  
(JUDGE COLDWELL)  
(MAGISTRATE JUDGE BLEWITT)

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PLAINTIFFS REQUEST TO ADD SUPPLEMENTAL COMPLAINT AGAINST  
ALAN S. GOLD, ESQ., SEAN ROBINS, ESQ., ALAN BUTKOVITZ, ESQ., AND  
THE LAW FIRM OF GOLD, BUTKOVITZ, AND ROBINS, P.C.

Plaintiff respectfully requests this Court to allow him to file a supplemental complaint against Alan S. Gold, Esq., Sean Robins, Esq., and Alan Butkovitz, Esq., and the law firm of Gold, Butkovitz, and Robins, P.C., in accordance to Fed. R. Civ. P. 15(d).

1) As previously addressed to this Court in Plaintiff's Motion For Discovery Abuse and Violations of Professional Conduct date December 4, 2001, the above mentioned individuals and law firm did send Plaintiff's confidential medical/psychiatric records to Joseph Dyson (CA-8143), an inmate at S.C.I. Smithfield, Mr. Dyson is not affiliated with this case, nor is he an associate of the Plaintiff in any way.

2) The casual, unjustified dissemination of confidential medical information to non-medical staff or other prisoners is unconstitutional. See *Woods v. White* 689 F. Supp at 877

3) The plaintiff has enclosed a copy of his intended Supplemental Complaint.

FILED  
SCRANTON

JAN 25 2002

PER

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Jason B. Benson, "DS0483"

P.O. Box 999, 1120 Pike St.

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA  
JASON E. BENSON  
J.  
DURAN, et al  
: CIVIL ACTION NO: 1:00-CV-1229  
: Judge Caldwell  
: Magistrate Judge Blewitt

PLAINTIFFS SUPPLEMENTAL COMPLAINT AGAINST ALAN S. GOLD, ESQ.,  
SEAN ROBINS, ESQ., ALAN BUTKOVITZ, ESQ., AND THE LAW FIRM OF GOLD, BUTKOVITZ,

1) Since the beginning of litigation the Plaintiff has requested defendant Ellen  
Counsel (Sean Robins, Esq., Alan Gold, Esq., Alan Butkovitz, and the law firm of Gold, Butkovitz,  
and Robins, P.C.) to provide plaintiff with copies of his medical/psychiatric file.

2) Counsel has repeatedly denied Plaintiff copies of his medical records, stating that th  
are not, and have never been, the custodian of his medical records, and, as such, th  
client does not have the authority, legal or otherwise, to produce a copy of plaintiff  
medical file (See Exhibit "A")

3) Despite counsels assertion that they cannot legally produce copies of plaintiff  
medical/psychiatric records to him, they did provide copies of plaintiffs confidential  
medical records to Joseph Dyson (CA-B443), a prisoner at S.C.I. Smithfield, inmate.  
Dyson is not affiliated with this case, nor is he associated with the plaintiff in an  
way. Dyson recieved Plaintiffs medical/psychiatric records on November 28, 2001. On  
November 30, 2001 Dyson wrote and signed an affidavit confirming that he did in fact  
recieve plaintiffs confidential medical/psychiatric records from the law firm of  
Gold, Butkovitz, and Robins, P.C. (See Exhibit "A" of Plaintiffs Motion for Discovery Ab  
id Violations of Professional Conduct)

ie casual, unjustified dissemination of confidential medical information to non-  
al staff and other prisoners is unconstitutional. Counsel, in so / a plaintiff

WHEREFORE, Plaintiff requests this court grant the following relief:

A.) Award Compensatory damages in the following amounts:

1.) \$2,000,000.00 jointly and severally against Alan Gold, Esq., and Alan Butkovitz, Esq.

2.) \$1,000,000.00 against Sean Robins, Esq.

3.) \$5,000,000.00 against the law firm of Gold, Butkovitz & Robins, P.C.

B.) Award Punitive damages in the following amounts:

1.) 2,000,000.00 against Alan Gold, Esq., and Alan Butkovitz, Esq.

2.) 1,000,000.00 against Sean Robins, Esq.

3.) 5,000,000.00 against the law firm of Gold, Butkovitz & Robins, P.C.

### CLAIMS FOR RELIEF

- 1) The actions of Alan Gold, Esq., Alan Buttkovitz, Esq., Sean Robins, Esq., and the law firm of Gold, Buttkovitz, and Robins, P.C. in violation of plaintiffs Constitutional right to privacy, did release plaintiffs confidential medical and psychiatric records to a state prisoner
- 2) Herein, for the violations aforementioned plaintiff requests that the above mentioned defendants be brought up on charge before the Disciplinary Board.
- 3.) That above mentioned defendants be instructed on how to handle confidential information
- 4.) That the defendants award plaintiff damages in the amount of \$10,000,000.00
  - § a \$5,000,000.00 jointly
  - § b \$2,000,000.00 from Gold; \$2,000,000.00 from Buttkovitz;  
\$1,000,000.00 from Robins

CERTIFICATE OF SERVICE

I, Jason E. Benson, Plaintiff, hereby certify that a true and complete document to this Court and was served by First Class Mail in a prepaid envelope.

by 

Jason E. Benson, DS6483

S.C.I. Smithfield

P.O. Box 999, 1120 Pike St

Huntingden, PA 16652

January 17, 2002